REMARKS/ARGUMENTS

I would like to thank Examiner Rodriguez for the courtesy extended during a telephone interview on October 27, 2005. During the interview the claims, the GB '093 and the FR '005 references were discussed. No agreement was reached concerning the claims, but the Examiner indicated he would review the positioned outlined concerning amendments to claim 1. The Examiner also agreed that a copy of the amendment could be faxed to his personal fax number.

In the Office Action claims 1-5, 7-8 and 10 were rejected under 35 USC § 102 (b) as being anticipated by the "093 GB reference.

Applicants' amended claims define a backing plate for use in a force transmitting device wherein the backing plate has two components. The backing plate has a ring shaped core plate and a ring shaped backing shell. The core plate and the backing shell are provided with flat surfaces that are positioned in adjacent relationship. The backing shell contains a circumscribing profiling that includes an annular groove. The profiling is positioned adjacent the periphery of the backing shell to enhance the stiffness of the backing shell in the desired portion of the backing shell adjacent the periphery. The backing plate can have external teething or internal teething and in the case of external teething the profiling is provided in the area of the inner circumference of the backing shell, in the case of internal teething the profiling is provided in the area of the outer circumference of the backing shell.

The GB reference discloses a friction member that can be used as part of a multi-disk brake for aircraft. A plurality of friction members are positioned between an annular pressure plate 24 and a fixed reaction member 17. The reaction member 17 is the item labeled as a shell in the drawing contained in the Office Action. A friction element having a backing plate 14 is positioned adjacent the reaction member 17. The backing plate 14 is a single piece annular member as described in the GB reference and the reaction member is an entirely separate element from the backing plate 14.

There is no disclosure or suggestion in the GB reference for having a backing plate comprised of a ring shaped core plate and a ring shaped backing shell as set forth in applicants' claims. In fact, the backing plate 14 of the GB reference is a flat annular plate and there is no mention or suggestion of having the backing plate formed of more than one component as defined by applicants' amended claims. In addition, there is no disclosure or suggestion in the GB reference of having a circumscribing profiling in the backing shell component of the backing plate wherein the profiling is positioned adjacent the periphery of the backing shell to enhance the stiffness of the backing shell in the portion of the backing shell adjacent the periphery. There is no disclosure or suggestion of positioning the profiling in the area of the inner circumference when the backing plate has external teething or placing the profiling in the area of the outer circumference when the backing plate has internal teething as set forth in applicants' amended claims. There is no disclosure or suggestion of having the core plate and backing shell with flat surfaces in the center region of the core plate and backing shell wherein the flat surfaces are positioned in adjacent relationship to each other as defined by applicants' claims. In fact, the reaction member shown in the GB reference is not positioned adjacent the backing plate 14 in the center region of either the backing plate or reaction member. It is applicants' positioned that the GB reference does not disclose or suggest the invention defined in applicants' amended claims and that this reference does not form a proper basis for rejection of the claims under 35 USC § 102 (b). Accordingly, the Examiner is requested to withdraw this basis of rejection for the claims.

Claim 9 was rejected under 35 USC § 103 (a) as being unpatentable over GB '093 reference in view of the FR '005 reference. The '005 reference being utilized to show a splined backing plate or a force transmitting device. However, '005 reference does not disclose or suggest a two component backing plate having a circumscribing profiling positioned the periphery of the backing shell to enhance the stiffness of the backing shell or the adjacent relationship of the flat surfaces of the core plate and backing shell as defined in applicants' amended claims. The FR '005 reference show a separate core plate that engages a reaction member essentially as show in the GB '093 reference. Accordingly, the FR '005 reference does not provide the deficiencies of the previously discussed GB '093 reference. The '005 reference, taken individually or in combination with the '093, does not disclose or suggest the invention defined by applicants' claims and the Examiner is requested to withdraw this basis of rejection for the claims.

It is submitted that this amendment places the application in condition for Allowance or in better form for Appeal. Accordingly, the Examiner is requested to enter this amendment to advance the prosecution of this patent application. It is submitted that no new issues are raised by the amendments as claim 1 has been amended to essentially include limitations that were previously presented in dependent claims in this patent application.

In view of the amendment to the claims and the arguments set forth herein it is submitted that the invention patentably distinguishes over the prior art implied by the Examiner. Accordingly, a favorable action is requested.

Respectfully submitted,

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